## Congress of the United States Washington, DC 20515

November 19, 2014

Francis S. Collins, M.D., PhD Director National Institutes of Health 9000 Rockville Pike Bethesda, Maryland 20892

Dear Dr. Collins:

We write with questions regarding a grant awarded to Dr. Jonathan Gruber by the National Institutes of Health (NIH).

It is our understanding that NIH has awarded funding to Dr. Gruber's grant titled "Dynamics of Plan Choice and Prescription Drug Utilization in Medicare Part D" to examine how people make choices between Medicare Part D plans. Dr. Gruber has received \$1.5 million to date from the National Institute on Aging (NIA) and is on pace to receive a total of over \$2 million. The public health relevance statement for Dr. Gruber's grant ties his work to the Patient Protection and Affordable Care Act as follows: "The Medicare Part D program pioneered the use of multiple private insurers to deliver a public insurance benefit, an approach which is the centerpiece of the Affordable Care Act."

Recent developments related to Dr. Gruber raise questions about his objectivity and judgment, and thus the utility of his research. Further, the award of this grant causes major concerns regarding NIH's funding priorities. We therefore request that NIH provide answers to the following questions:

- What process did NIH follow in awarding funding to Dr. Gruber's grant? Who were the individuals and offices involved in the decision?
- Are other agencies in HHS, such as the Centers for Medicare and Medicaid Services or the Agency for Healthcare Research and Quality, performing research on how individuals choose Medicare Part D plans? In the review of Dr. Gruber's grant, was this potential duplication discussed?

<sup>1.</sup> In recently released videos, Dr. Gruber said the passage of the Patient Protection and Affordable Care Act (PPACA) relied on "basic exploitation of [voters\*] lack of economic understanding," and that Americans are "too stupid to understand" the law. In another video he insulted voters by bragging that a "lack of transparency" helped Congress pass PPACA. Dr. Gruber has shown a clear bias against the ability of Americans to make proper decisions and that bias likely impacts his taxpayer-funded research.

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- What is NIH's process for grant review and grant management once funding has been awarded? What specifically has NIH done to review and manage Dr. Gruber's grant?
- What is NIH's process for rescinding grant funding? Given the significant issues
  regarding Dr. Gruber's judgment and the effect it will have on the study and its findings,
  will NIH take such actions with respect to "Dynamics of Plan Choice and Prescription
  Drug Utilization in Medicare Part D"?
- If NIH were to continue funding Dr. Gruber's grant, would you recommend that Congress and others utilize Dr. Gruber's study given his deplorable views on the intelligence of Americans? If you do recommend utilizing it, how would you justify that decision, especially to seniors who rely on Medicare Part D?
- We have heard repeatedly about the numerous grants that do not receive funding due to limited research dollars. What criteria did NIH use to fund "Dynamics of Plan Choice and Prescription Drug Utilization in Medicare Part D" over other grants? For example, was this grant given priority over research into Alzheimer's, other forms of dementia, or cancer?
- How does NIH, and in particular NIA, make decisions about prioritization of research spending? Does NIH use and implement a strategic plan? Do the individual institutes implement such a plan? How does NIH hold its institutes accountable for their funding decisions?

We look forward to your timely response.

Sincerely,

Joseph R. Pitts

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Subcommittee on Health

Committee on Energy and Commerce

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Andy Harris, M.D. Member of Congress

Committee on Appropriations